

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
LS-006CV

In Re Application Of: Jude S. Sauer

JUN 01 2010

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/772,185	02/04/2004	Victor X. Nguyen	024,902	3734	4686

Invention: INSTRUMENT FOR GUIDING THE SURGICAL CUTTING OF TISSUE AND METHOD OF USE

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of
01/27/2010 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 01/27/2010 finally rejecting Claim(s) 1-10, 15-18 and 20-31.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: 04/27/2010 until: 05/27/2010
Date Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$270.00

Fee for Extension of Time: \$65.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$335.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

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TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: May 27, 2010

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

05/27/2010

(Date)

Tammy S. Moynihan

Signature of Person Mailing Correspondence

Tammy S. Moynihan

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CC: